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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,079	08/28/2001	Kun-Yung K. Chang	R1-P101	5752
38456	7590	11/30/2004	EXAMINER	
DENIRO/RAMBUS			CHANG, EDITH M	
685 MARKET STREET, SUITE 540				
SAN FRANCISCO, CA 94105			ART UNIT	PAPER NUMBER
			2637	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/941,079	CHANG ET AL.
	Examiner	Art Unit
	Edith M Chang	2637

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 28 August 2001.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-59 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 19,52-56 and 58 is/are allowed.  
 6) Claim(s) 11-18,20,21,25,38,39,43,44,46-51,57 and 59 is/are rejected.  
 7) Claim(s) 1-10,22-24,26-37,40-42 and 45 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 28 August 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>100301,121102,7290</u> .	6) <input type="checkbox"/> Other: _____

## DETAILED ACTION

### *Specification*

1. The disclosure is objected to because of the following informalities:.

On page 7, add the short description of the Fig.13.

Appropriate correction is required.

### *Claim Objections*

2. Claims 1-18, 20-25, 27, 28, 31-43, 45, 46 and 59 are objected to because of the following informalities:

Claim 1, line 1: “circuitry” is suggested changing to “a circuitry”.

Claim 9 & Claim 24, line 3: “circuitry” is suggested changing to “a circuitry”.

Claim 11, line 3: “a phase” is suggested changing to “the phase”, “an” is suggested changing to “the”; line 4: “a” is suggested changing to “the”; and line 7: “the phase” is suggested changing to “a phase”.

Claims 20-25, line 1: “The integrated circuit” is suggested changing to “The integrated circuit device”.

Claim 27 & Claim 28, line 1: “a first” is suggested changing to “the first”.

Claim 28 & Claim 29, line 2: “a first” is suggested changing to “the first”.

Claim 31, line 3: “detecting” is suggested changing to “the detecting”.

Claim 32, Claim 33 & Claim 34, line 1: “detecting” is suggested changing to “the detecting the”.

Claim 35, line 5: “control” is suggested changing to “a control”.

Claim 45 & Claim 46, line 1 and line 2: “a first” is suggested changing to “the first”.

Claim 59, line 13: “actions” is suggested changing to “steps”, and “minimum” is suggested changing to “a minimum”.

Claims 2-8, 10, 12-18 and 36-43 are directly or indirectly dependent on the objected claims 1, 11 and 35.

Appropriate corrections are required.

### ***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 25 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 25, the disclosure of drawing (such as the FIG.2) does not teach that the select signal CDR SEL1 to the selector 211(1) to disable the phase control circuit 209(1) generating the first control signal (the input to the first port of 211(1)).

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 11-18, 20-21, 38-39, 43, 47-51, 57 and 59 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11, lines 7-8: “the selected control signal” lacks antecedent basis.

Claim 16, line 1: “the select signal” lacks antecedent basis.

Claim 17, line 2: “generating the select signal” and line 3: “the select signal” lack antecedent bases.

Claim 18, line 4: “generating the select signal” and “the select signal” lack antecedent bases.

Claim 20, line 3: “the first and second phase signals” lacks antecedent basis.

Claim 21, line 4: “the first phase control signal” lacks antecedent basis.

Claim 38, lines 5-6: “the selected control value” lacks antecedent basis.

Claim 43, line 1: “the receive circuit” lacks antecedent basis.

Claim 47, lines 8-9: “the integrated circuit device”; and line 15: “the first clock cycle” lack antecedent bases.

Claim 48, lines 1-2: the terms “the first clock cycle” lack antecedent bases.

Claim 49, lines 1-2: “assertion of the first control signal” lacks antecedent basis.

Claim 57, lines 1-2: “the second signal generator” lacks antecedent basis.

Claim 59, line 11: “the phase control input” lacks antecedent basis.

Claims 12-15, 39, and 49-51 are dependent on claims 11, 38 and 48.

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 44 and 46 are rejected under 35 U.S.C. 102(e) as being anticipated by Cao et al. (US 6,725,408 B1).

**To claims 44 & 46,** in FIG.2, Cao teaches the testing method of the CDR comprising outputting the mode in the command/signal to the element 26 which is responding to the mode in the command/signal sending to the control of the select circuit element 26 by selecting the phase port (the input of CDR) receiving DATA or the testing signal from the test pattern generator (TPG element 22) other than the phase control circuit within the CDR to adjust the phase of the first clock signal in the DATAOUT; and outputting a phase control signal from element 14 to the port adjust the phase of the first clock signal.

#### *Allowable Subject Matter*

9. Claims 19, 52-56 and 58 are allowed.

10. Claim 45 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. Claims 11-18, 20-21, 38-39, 43, 47-51, 57 and 59 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

12. Claims 1-10, 22-24, 26-37 and 40-42 would be allowable if rewritten to overcome the objection(s), set forth in this Office action.

13. The following is a statement of reasons for the indication of allowable subject matter:

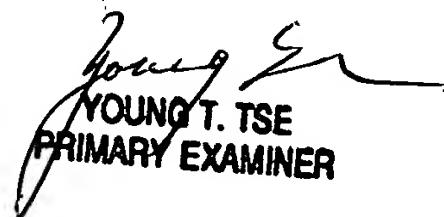
The prior art of record fails to teach or suggest, alone or in a combination, among other things, at least a system of clock data recovery circuits as a whole, and the combination of elements and features, which includes a selector circuit receiving a select signal of two mode values stored in a register, selecting one of the control signals from the CDR within or an external control signal from the external source/CDR; and outputting the selected control signal to adjust the phase of the clock signal of the received data.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edith M Chang whose telephone number is 571-272-3041. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jayanti Patel can be reached on 571-272-2988. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Edith Chang  
November 21, 2004



YOUNG T. TSE  
PRIMARY EXAMINER